

EXHIBIT D

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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLUMBIA

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CATHERINE GAUJACQ :
 Plaintiff : No.
 v. : 1:05CV0969
ELECTRICITE DE FRANCE : (JGP)
INTERNATIONAL NORTH AMERICA, INC., :
ET AL :
 Defendants :
-----X

Washington, D.C.

Thursday, March 23, 2006

Deposition of:

PATRICK DE BOTHEREL,

The witness, was called for examination by
counsel for the Plaintiff, pursuant to notice,
commencing at 8:47 a.m., at the law office of
Steptoe & Johnson, 1330 Connecticut Avenue, N.W.,
Washington, D.C., 20036, before Sheri C. Stewart,
Registered Professional Reporter and Notary Public
in and for the District of Columbia, when were
present on behalf of the respective parties:

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1 question.

2 A I think that that question is not a
3 good one.

4 Because if you are in an enterprise
5 which works with 160,000 employees, you determine
6 50 people within those 160,000 employees who will
7 be that high level ranking group, the 50 people
8 representing the group.

9 And so you have to have some confidence
10 in the people responsible in -- within the group
11 to select, based upon their experience, the people
12 who they judge ^{as} being the best to become one of the
13 ^{Dirigeants} high ~~dirigent~~ of this group.

14 BY MS. BREDEHOFT:

15 Q So there isn't any fixed minimum that
16 has to be, for example, on a performance
17 evaluation?

18 A This is not a mathematic formula.

19 Q When an individual is in the R1
20 classification, is there a specific compensation
21 range assigned to those individuals?

22 A The higher ^{the} level of the ^{Dirigeants} ~~dirigent~~ is in

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1 the hierarchy, ^{the} higher ~~will be~~ their salaries, ^{will be}
2 their compensation. That's the first point.

3 ^{Dirigeant} The second point with regards to the
4 ~~dirigent~~, ^{is that the} compensation is completely
5 individualized.

6 The only existing ^{requirement} ~~element~~ is that we
7 have a system in place, and this is more a
8 guideline that defines a range of fixed salaries
9 classified by the high rank of the ^{Dirigeant} ~~dirigent~~.

10 Q Do you recall what the range was for R1
11 employees in 2004?

12 A I do not specifically recall, but what
13 I would like to point out is that this range is
14 more a guideline than anything else.

15 Q Is it possible that an R2 could have
16 the same salary as an R1?

17 A No.

18 Q Is that because the salaries are
19 defined in minimum and maximum?

20 A There is a minimum salary, and that's
21 with regards to the level of the ^{Dirigeant} ~~dirigent~~. There
22 is no maximum a priori.

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1 any women at EDF that are R1s?

2 A Yes.

3 Q How many?

4 A At least five.

5 Q Are they all in France?

6 A Yes.

7 Q Are there any women who are R2s?

8 A Yes, of course.

9 Q How many?

10 A Between 10 and 11 percent, so that
11 means between 15 and 20 women.

12 Q Forgive me, I might have misunderstood
13 a question earlier today.

14 Are there 100 R1s right now or how many
15 R1s are there? I'm getting a shake of the head
16 from counsel, so let me ask it cleaner.

17 How many R1s are there?

18 A Fifty.

19 Q Do you recall the names of any of the
20 five women who are R1s?

21 MS. REGAL: And I want to object to the
22 scope.

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1 MS. REGAL: Object to the form.

2 A If you have been evaluated as a
3 potential asset to the company in one year, then
4 you have to prove that to remain a potential
5 asset.

6 And so once you show that your
7 potential -- that you are a potential asset, then
8 the strategy and the policy of EDF is such that
9 the person is then offered jobs to promote a
10 development, acquire new aptitudes to further that
11 person.

12 BY MS. BREDEHOFT:

13 Q Is any part of the R1, R2 and R3
14 compensation structures based on any type of
15 seniority system?

16 MS. REGAL: Object to the form of the
17 question. Explain to him what you mean by
18 that, seniority system.

19 MS. BREDEHOFT: No, I sure can't.

20 A What do you understand by seniority
21 system?

22 BY MS. BREDEHOFT:

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1 Q Do you have any seniority system at EDF
2 that you're aware of?

3 A At the level of ~~dirigent~~ ^{Dirigeant}, the salaries
4 are individualized. So -- well, if you take two
5 employees at the same lateral level and one has
6 been working in that company for many, many years
7 and the other one is the new starter, there is a
8 slight difference, but this is not what I call a
9 seniority policy or a seniority management.

10 Q So it may make a difference that
11 someone's been there longer, but that's not a firm
12 policy at EDF?

13 A No.

14 Q Okay. Are you aware of any employee of
15 EDF who was terminated because they turned down a
16 job offer?

17 A No.

18 Q When someone has an ex -- is it
19 expatriate or expatriation? I might as well say
20 it right.

21 Dave, is it expatriate or expatriation?

22 Expatriation contract? Thank you, bless you. I